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FILED

MAY - 4 2016

Clerk, U.S. District Court
District Of Montana
Great Falls

ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN EDWARD REAP,

Defendants.

CR 16-07-H-SEH

INDICTMENT

**CONSPIRACY TO POSSESS WITH
INTENT TO DISTRIBUTE AND TO
DISTRIBUTE CONTROLLED
SUBSTANCES (Count I)**
Title 21 U.S.C. § 846
(Penalty: 20 years' imprisonment,
\$1,000,000 fine, and at least three years
supervised release)

**POSSESSION WITH INTENT TO
DISTRIBUTE METHAMPHETAMINE
(Count II)**
Title 21 U.S.C. § 841(a)(1)
(Penalty: 20 years imprisonment,
\$1,000,000 fine, and at least three years
supervised release)

	<p>POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA (Count III) Title 21 U.S.C. § 841(a)(1) (Penalty: Five years imprisonment, \$250,000 fine, and at least two years supervised release)</p> <p>DISTRIBUTION OF MARIJUANA (Count IV) Title 21 U.S.C. § 841(a)(1) (Penalty: Five years imprisonment, \$250,000 fine, and at least two years supervised release)</p> <p>ACCEPTING BRIBES (Count V) Title 18 U.S.C. § 666(a)(1)(B) (Penalty: Ten years imprisonment, \$250,000 fine, and three years supervised release)</p> <p>TITLE 21 PENALTIES MAY BE ENHANCED FOR PRIOR FELONY DRUG RELATED CONVICTIONS</p>
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THE GRAND JURY CHARGES:

COUNT I

That beginning on or about February 1, 2015, and continuing until on or about April 30, 2016, at Deer Lodge, in the State and District of Montana, and elsewhere, the defendant, MARTIN EDWARD REAP, knowingly and unlawfully agreed and conspired with others, known and unknown to the Grand Jury, to possess with the intent to distribute, and to distribute, in violation of 21 U.S.C. § 841(a)(1), controlled substances, namely detectable amounts of methamphetamine, a Schedule II controlled substance, and marijuana, a Schedule I controlled substance.

OBJECTS OF THE CONSPIRACY

The objects of the conspiracy were to possess with intent to distribute, and to distribute, methamphetamine and marijuana to inmates at the Montana State Prison.

MEANS AND METHODS

During the course of the conspiracy, the defendant, MARTIN EDWARD REAP, and his coconspirators employed the following means and methods to achieve the objects of the conspiracy:

1. At all times alleged herein, the defendant, MARTIN EDWARD REAP, worked as a correctional officer at the Montana State Prison. The defendant had an arrangement with his coconspirators, who were inmates of the prison, whereby he agreed to smuggle contraband, including methamphetamine and marijuana, into the Montana State Prison.
2. Upon smuggling the marijuana and methamphetamine into the prison, the defendant, MARTIN EDWARD REAP, distributed the methamphetamine and marijuana to his coconspirators, who in turn distributed the substances to other inmates.
3. In exchange for smuggling contraband into the prison, the defendant, MARTIN EDWARD REAP, received money bribes from other members of the conspiracy or from those acting at the behest of the other members of the conspiracy.

All in violation of 21 U.S.C. § 846.

COUNT II

That beginning on or about February 1, 2015, and continuing until on or about April 12, 2016, at Deer Lodge, in the State and District of Montana, and elsewhere, the defendant, MARTIN EDWARD REAP, knowingly and unlawfully possessed, with the intent to distribute, a substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation 21 U.S.C. § 841(a)(1).

COUNT III

That beginning on or about February 1, 2015, and continuing until on or about April 12, 2016, at Deer Lodge, in the State and District of Montana, and elsewhere, the defendant, MARTIN EDWARD REAP, knowingly and unlawfully possessed, with the intent to distribute, a substance containing a detectable amount of marijuana, a Schedule II controlled substance, in violation 21 U.S.C. § 841(a)(1).

COUNT IV

That on or about April 12, 2016, at Deer Lodge, in the State and District of Montana, the defendant, MARTIN EDWARD REAP, knowingly distributed a substance containing a detectable amount of marijuana, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT V

1. At all times material to this Indictment, the Montana State Prison was an agency of the state government of Montana that received \$10,000 or more under a federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance during any one year period beginning February 1, 2014, and ending no later than April 30, 2017.

2. The defendant, MARTIN EDWARD REAP, was an agent of the Montana State Prison whose duties included working as a correctional officer, refraining from the introduction of any contraband into the prison, and ensuring that the prison was free of controlled substances.

3. That during the period between or about February 1, 2015, and continuing until on or about April 12, 2016, at Deer Lodge, in the State and District of Montana, the defendant, MARTIN EDWARD REAP, knowingly and corruptly accepted anything of value, to be rewarded in connection with any business, transaction, and series of transactions of the Montana State Prison with a value of \$5,000 or more. That is, the defendant, MARTIN EDWARD REAP, received multiple payments in the form of bribes for smuggling controlled substances with a value of \$5,000 or more into portions of the Montana State Prison that were designed to be secure from the unauthorized introduction of such controlled substances, all in violation of 18 U.S.C. § 666(a)(1)(B).


A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON ✓ /



MICHAEL W. COTTER
United States Attorney



JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney

rim. Summons ✓

Warrant _____

Bail _____

I. A set for
5/31/16 @ 2pm
Judge Lynch, msla